

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

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MAY 27 2003


GROUP 3600

Applicants : Barrott et al.
Serial No. : 09/409,566
Confirm. No. : 5556
Filed : September 30, 1999
Title : **COMPUTERIZED FAMILY ADVISING SYSTEM AND
METHOD FOR MAKING FUNERAL ARRANGEMENTS**
Docket No. : AUR 0014 PA
Examiner : Bartuska, Francis J.
Art Unit : 3627

Assistant Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 14, 2003.


William A. Jividen 42,695
Reg. No.

Sir:

BRIEF ON APPEAL

This is an appeal from the Office Action mailed December 20, 2002, finally rejecting claims 24-66 in the application. A Notice of Appeal was timely filed on March 14, 2003, with the accompanying fee. Our check in the amount of \$320.00 accompanies this Brief in accordance with 37 CFR §1.17(c).

Real Party in Interest

The real party in interest in this application is Aurora Casket Company, Inc., by an assignment from the named inventors recorded in the files of the U.S. Patent and Trademark Office at Reel 010439, Frame 0879.

Related Appeals and Interferences

There are no related cases in which an appeal or interference has been filed.

Status of Claims

Claims 24-66 are pending in this application. Accordingly, claims 24-66 are before this Board for consideration on appeal. A copy of the appealed claims is found in

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the Appendix attached to this brief. Claims 1-23 were canceled during prosecution of this application.

Status of Amendments

All of the amendments filed in this application have been entered, including a Response After Final Rejection filed on February 20, 2003. In an Advisory Action, dated March 7, 2003 (Paper No. 14), the Examiner indicated that this amendment would be entered upon the filing of an appeal, thereby overcoming all the rejections under 35 U.S.C. §101 and §112. Accordingly, the claims in the Appendix to this Brief reflect the entry of all amendments.

Summary of the Invention

The present invention is directed to a computerized family advising system and method for making funeral arrangements wherein a user is guided through a series of interactive electronic multimedia pages in order to make decisions on the proper funeral services and products desired. This series of interactive electronic multimedia pages allows the user to make further informational inquiries about a particular funeral service or product and to complete an ordering request. At the completion of the funeral arrangement process, this ordering request is forwarded to a distributor for processing. The system is used either "pre-need" by a person making funeral arrangement before death, or "at-need" by a family member or friend for a deceased person, both to view options and to select funeral services (e.g., burial, cremation, embalming, etc.) and products (e.g., casket type, urn selection, etc.).

As shown by Fig. 1, a schematic block diagram of one embodiment of the present invention, the computerized family advising system is indicated generally by reference numeral 2 running an Internet application 4 which presents an electronic home page 10 and other HTML based pages 14 as required on a standard web browser 12 and 20 by local and remote users (page 9, lines 5-12; page 10, lines 5-11). The application 4 uploads and downloads data files 31 and 33 between a distributor's system 32 (page 11, lines 12-14). These data files 31 and 33 include the available products and service of the

distributor, as well as the orders from the user (page 13, line 21 - page 14, line 3; page 14, line 20 - page 15, line 9).

As shown in Figs. 15-17, the application 4 comprising processes indicated generally by symbols 300, 302, 304 that generate a funeral plan using planning data received from the user (page 24, lines 17-21). Fig. 3 is an example of an electronic form page on which a user enters planning data 50 that includes biographical information and a period of execution (Pre-Need or At-Need), which is also discussed in reference to biographic form page 312 (page 25, lines 4-6). Additional planning data such as funeral arrangement information is entered on the Family Services Selection Guide form page 318, via selection of answers to questions 52 regarding the type of funeral service desired (page 25, lines 8-14). An example of such a form page is shown by Fig. 4. Based on the selected desired services, the system will present the user the appropriate product selection guides 350, 352, 354 and 356 from which to select miscellaneous merchandise, caskets, cremation caskets, and urns, respectively. An example of such a product selection guide is shown by Figs. 5C. At stages in the funeral arrangement process, more in depth information provided by recorded multimedia presentations is available for viewing by the user (page 13, lines 1-8; page 25, lines 11-21).

After entering in the planning data, the user is presented with a funeral plan on an editable Summary page, examples of which are shown by Figs. 6A-B. This summary page shows an itemized list of the items and prices of all the choices that the user has made in arranging the funeral services and products while being guided through the planning process. The user has the option to accept, change or not accept those arrangement choices (page 3, line 20 - page 4, line 1). Once the funeral plan is finalized, the user clicks on the provided Save & Continue button on the toolbar 40 (step 416) to view a condensed printable summary description page 418 of all selected services and products (page 28, lines 20-22). To order the products on-line the user clicks on the provided "Order/Update" button (step 420) on the toolbar 40 of the selection summary description page 418 (page 29, lines 1-2).

Issues Presented

The issues presented for review on appeal are:

- (1) Did the Examiner err in rejecting claim 66 under 35 U.S.C. 102(b) as being anticipated by Jacobs (US 5,550,746)?
- (2) Did the Examiner err in rejecting claims 24-28, 34, 35-42, 44, 45, 47, 48, 50 and 61 under 35 U.S.C. 103(a) as being unpatentable over the Tafirenyika publication of record?
- (3) Did the Examiner err in rejecting claims 29-33, 35, 43, 46, 49, 51-60, 62 and 63 under 35 U.S.C. 103(a) as being unpatentable over the Tafirenyika publication as applied to claim 24, and further in view of Yagasaki (US 6,125,353)?
- (4) Did the Examiner err in rejection claims 64 and 65 under 35 U.S.C. 103(a) as being unpatentable over the Tafirenyika publication as applied to claim 48 in view of Tavor et al (US 6,070,149)?

To arrive at its conclusions, the Board must also address the following issues:

- (5) Has the Examiner carried his burden of establishing, with respect to the §102 rejection that the reference teaches each and every feature of the claim?
- (6) Has the Examiner carried his burden of establishing, with respect to the §103 rejection, a prima facie case by showing that the Examiner considered the claimed invention as a whole and that there existed in the prior art proper motivation and an expectation of success?
- (7) Has the Examiner carried his burden of establishing, with respect to the §103 rejection, a prima facie case by showing that the combined references teach the claimed invention as a whole.

Grouping of Claims

Independent claim 66 stands rejected as anticipated by Jacobs. Applicants will separately argue the patentability of this claim.

Claims 24-28, 34, 35-42, 44, 45, 47, 48, 50 and 61 stand rejected as unpatentable over the Tafirenyika publication; claims 29-33, 35, 43, 46, 49, 51-60, 62 and 63 stand rejected as unpatentable over the Tafirenyika publication as applied to claim 24, and further in view of Yagasaki; and claims 64 and 65 stand rejected as unpatentable over the Tafirenyika publication as applied to claim 48 in view of Tavor et al. In that grouping of claims, claims 24 and 48 are independent. Applicant will separately argue the patentability of those claims as representative of this grouping.

The claims do not stand or fall together as a group.

The References

Jacobs, U.S. Patent No. 5,550,746. Jacobs teaches a computer 14, an input device 32, a display 30, memory 15 and a communication device 36 for providing a product or service, such as a social expression product. Jacobs teaches that the computer may store, retrieve, display, personalize, print and deliver to a customer a wide range of social expression product designs suitable for a broad spectrum of customer interests.

Tafirenyika publication. The Tafirenyika publication suggests the selling of caskets online.

Yagasaki, U.S. Patent No. US 6,125,353. Yagasaki discloses a virtual mall providing a searching capability to locate and order a service or product offered by a number of vendors.

Tavor et al., U.S. Patent No. 6,070,149. Tavor et al. disclose a method for shopping over the Internet, which includes multimedia presentations to make the session enjoyable for the customer.

ARGUMENT

I. Summary of Argument

The Examiner has failed to establish, by evidence or reasoning, that claim 66 is anticipated by Jacobs. Jacobs does not teach or suggest, *inter alia*, a computer running a funeral planning routine comprising processes for generating a funeral arrangement plan for a period of execution as recited by claim 66. Nor has the Examiner established a

prima facie case, by evidence or reasoning, that any of claims 24-65 would have been obvious with respect to the proposed combination of references. With respect to independent claims 24 and 48, the Examiner reduced the claim invention down to a "jist," improperly applied a *per se* rule of unpatentability, and has ignored the fact that none of the references teaches or suggests a computer-implemented method permitting a user to plan electronically a funeral on a computer by employing on the computer a funeral planning routine comprising processes adapted to generate a funeral plan as recited by amended independent claims 24 and 48. The Examiner relies on the Tafirenyika publication for teaching that some of the arrangements for a funeral, such as selecting and purchasing a casket, can be computer-implemented; however, this reference fails to teach or suggest a desire to collect biographical and funeral arrangement information, and to select a period of execution for the purpose of generating a funeral plan electronically. Nor would the combination of either Yagasaki or Tavor et al. with the Tafirenyika publication, produce the present invention as recited by the claims.

II. Establishing anticipation.

The factual determination of anticipation requires the disclosure in a single reference of every element of the claimed invention. *Ex parte Levy*, 17 USPQ2d 1461, 1462 (PTOBPAI 1990) and the many cases cited therein. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). A reference must clearly and unequivocally disclose what is claimed "without any need for picking, choosing, and combining various disclosures not directly related to each other by the teachings of the cited reference. *In re Arkley*, 172 USPQ524 (CCPA 1972).

Additionally, as part of the evidentiary burden on the Examiner, it is necessary for the Examiner to identify wherein each and every facet of the claimed invention is

disclosed in the applied reference. *Lindemann Maschinenfabrik GmbH v. American Hoist and Derrick*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

III. Establishing a *prima facie* case of obviousness.

In order to establish a *prima facie* case of obviousness, the Examiner has the burden of showing, by reasoning or evidence, that: 1) there is some suggestion or motivation, either in the reference itself or in the knowledge available in the art, to modify that reference's teachings; 2) there is a reasonable expectation on the part of the skilled practitioner that the modification or combination has a reasonable expectation of success; and 3) the prior art reference must teach or suggest all of the claim limitations. Both the teaching or suggestion and the reasonable expectation of success must be found in the prior art and not based on an applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); see also, MPEP §2142.

In carrying this burden, the Examiner "must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious." *Ex parte Clapp*, 227 USPQ 972, 973 (PTOBPAI 1985). A rejection based on §103 clearly must rest on a factual basis, and these facts must be interpreted without hindsight reconstruction of the invention from the prior art. *In re Warner*, 154 USPQ 173, 178 (CCPA 1967). The Examiner may *not*, because he may doubt that the invention is patentable, resort to speculation, unfounded assumptions, or hindsight reconstruction to supply deficiencies in his required factual basis. *Id.*

IV. Jacobs does not anticipate claim 66.

In the Final Rejection (Paper No. 12), the Examiner rejected claim 66 under 35 U.S.C. §102(b) as anticipated by Jacobs, generally referencing Figs.1 and 2. The Examiner asserted that "if applicant's system is adapted to permit a user to electronically plan a funeral, so also is the system of Jacobs." As no reasons were given by the Examiner in the Advisory Action (Paper No. 14) as to how claim 66 would be rejected upon entry of the amendments on appeal, applicants address only the Examiner's assertions in the Final Rejection.

First, applicants wish to point out that the Examiner's general reference to essentially what equated to the entire patent does not carry the Examiner's burden of identifying with specificity exactly where in the reference each and every element of the claimed invention is shown. *Lindemann, supra*. Applicants' claim 66 as amended recites, *inter alia*, a computer running a funeral planning routine comprising processes for generating a funeral arrangement plan for a period of execution. The Examiner has ignored this and other such limitations of the amended claim 66.

Second, applicants wish to point out that Jacobs does not disclose or suggest among other things, the limitation of a computer running a funeral planning routine comprising processes for generating a funeral arrangement plan for a period of execution.

While the Examiner has chosen to interpret Jacobs' system as a programmable computer that can be adapted to "permit a user to electronically plan a funeral", there is clearly no teaching or suggestion in Jacobs that his device may be programmed to run a funeral planning routine comprising processes for generating a funeral arrangement plan as taught in the present invention. With impermissible hindsight, any programmable computer could be adapted to run the subject matter of the claimed invention.

Amended claim 66 further recites a computer utilizing the funeral planning routine to interactively guide the user through the planning of the funeral by accepting funeral arrangement data from the user and, when necessary, accessing the information stored in the memory device and storing the funeral arrangement data to the memory device. Amended claim 66 also recites the computer utilizing the funeral planning routine and the planning data to generate a summary such that the user may determine whether to revise or accept the funeral arrangement plan as represented by the input planning data, if revising then the user may edit any portion of the planning data, and if accepting then the funeral planning routine is capable of sending the order to the distributor. Jacobs does not teach such features.

As Jacobs does not teach **each and every limitation** of amended claim 66, Jacobs cannot anticipate this claim. The computer system shown by Figs. 1 and 2 of Jacobs, to which the Examiner made a general reference to in the Final Rejection, clearly teaches only a computer that store, retrieve, display, personalize, print and deliver to a customer a

wide range of social expression product designs suitable for a broad spectrum of customer interests. As the Jacobs computer will not interactively guide the user through the planning of the funeral by accepting funeral arrangement data from the user, Jacobs does not teach or suggest the presently claimed invention.

Accordingly, claim 66 is not anticipated by Jacobs.

V. No prima facie case of obviousness has been established.

Also in the Final Rejection, the Examiner rejected claims 24-28, 34, 36-42, 44, 45, 47, 48, 50 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Tafirenyika publication. The Examiner asserted as fact that: (1) "Every funeral requires collecting biographical information, selecting a time and place, selecting a coffin or cremation and selecting a funeral home or church or graveside service and selecting someone to organize and perform the services," and (2) "The Tafirenyika publication teaches that some of the arrangements for a funeral, such as selecting a casket, can be computer-implemented." The Examiner concluded that, "It would have been obvious to one having ordinary skill in the art in view of the showing and teaching of the Tafirenyika publication to use a computer to implement any of the well-known arrangements of a routine funeral."

While the Examiner asserted in his conclusion some known manual steps for arranging a funeral, such facts do not make the claimed invention as a whole obvious. The Examiner's argument of using a computer to implement known manual steps improperly limits the focus to a "jist." Distilling an invention down to the "gist" or "thrust" of an invention disregards the requirement of analyzing the subject matter as a whole. See, e.g., *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983, cert. denied, 469 U.S. 851 (1984)). This constitutes reversible error as the applicants assert that the claimed invention does not just replace manual activity which accomplishes the same result.

In *In re Venner*, 262 F.2d 91, 94, 120 USPQ 192, 194 (CCPA 1958), the appellants argued that "the basis for allowance of the appealed claims [to an apparatus for molding trunk pistons of aluminum and magnesium alloys] resides in the combination of

the old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed.” The court stated that “it is well settled that it is not ‘invention’ to broadly provide a mechanical or automatic means to replace manual activity which has accomplished the same result.” *Venner*, 262 F.2d at 95, 120 USPQ at 194. In *Venner*, however, all limitations in the claims, **including the automatic means**, were disclosed in the applied references. See *Venner*, 262 F.2d at 96, 120 USPQ at 195.

In the present case, unlike in *Venner*, the Examiner has not provided a reference which discloses employing on the computer a funeral planning routine comprising processes adapted to generate a funeral plan, let alone one which discloses a computerized method which receives via the computer planning data from the user, wherein the planning data includes biographical information, period of execution, and funeral arrangement information.

Apparently, the Examiner has merely relied upon a *per se* rule that providing a mechanical or automatic means to replace manual activity which has accomplished the same result is unpatentable. As stated by the Federal Circuit in *In re Ochiai*, 71 F.3d 1565, 1572, 37 USPQ2d 1127, 1133 (Fed. Cir.1995), “reliance on per se rules of obviousness is legally incorrect and must cease.” Moreover, the Examiner has not established that manual funeral planning and ordering a casket online accomplishes the same result of generating a funeral plan for a period of execution electronically. As pointed out in the Background of the Invention, the prior art manual method of planning a funeral offers little time for making informed decisions due to the very stressful period when having to arrange a funeral after a loved one passes on. Under such pressured circumstances, finding reliable, unbiased information about available funeral services and products is sometimes difficult (page 1, lines 11-21). Also, the publication relied upon by the Examiner for suggesting that caskets can be purchased online combined with the general knowledge of one skilled in the art at the time the invention was made solves none of the noted problems with manually arranging a funeral mentioned in the Background of the Invention starting at page 1, line 22 and ending at page 2, line 12.

Additionally, the Examiner's conclusion that "it would have been obvious to one of ordinary skill in the art in view of the showing and teaching of the Tafirenyika publication to use a computer to implement any well-known arrangements of a routine funeral" does not adequately address the issues of motivation and the reasonable expectation of success. See, e.g., *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). This factual question of motivation is material to patentability, and cannot be resolved on subjective belief and unknown authority. It is improper, in determining whether a person of ordinary skill would have been led to the claimed invention, simply to "[use] that which the inventor taught against its teacher." *W.L. Gore*, 721 F.2d at 1540, 220 USPQ at 312-13.

Contrary to the Examiner's assertion, those skilled in the funeral arts would not have known to use a computer to implement well-known manual arrangements of a routine funeral in view of the showing and teaching of the Tafirenyika publication. Although the Tafirenyika publication suggests selling caskets online, applicants note that this publication is silent concerning any potential benefits of generating a funeral plan using funeral planning processes running on a computer. In particular, Applicants note that the Tafirenyika publication states that "[c]lients 'anywhere in the world' can pay \$50 and receive a funeral planning package complete with a will, statistical forms, and a funeral planning package."

Applicants therefore assert that the Tafirenyika publication only restates known manual processes, and with the exception ordering caskets online, teaches away from using a computer to implement additional funeral arrangement processes. Accordingly, one skilled in the related art at the time the invention was made would not have been provided with the suggestion from the Tafirenyika publication and general knowledge of manual planning steps, that a funeral plan could be generated with a computer by, *inter alia*, "employing on the computer a funeral planning routine comprising processes adapted to generate a funeral plan" as recited by amended independent claims 24 and 48. The Examiner cannot rely on applicant's own teachings for this motivation.

Applicants also note that there is no reasonable expectation of success that one skilled in the art reading the Tafirenyika publication could implement additional manual

funeral arrangement processes on a computer. Such reasonable expectation of success is not supported by the Tafirenyika publication teaching away from a computerized method of planning a funeral by stating that buyers can purchase and receive printed funeral planning materials and an instruction sheet. Additionally, Applicants have provided evidence supporting a conclusion of nonobviousness that was ignored and unchallenged by the Examiner. See *In re Rinehart*, 531 F.2d 1048, 189 USPQ 143 (CCPA 1976).

As explicitly stated in Exhibit B provided with the 37 C.F.R. 1.131 declaration filed with Applicants' response of August 5, 2002, the present invention created a stir in the funeral service industry when introduced at the National Funeral Director Association Convention in October, 1998. Prior to the present invention, although ordering caskets online was known, providing a computer implemented method which permitted a user to electronically plan a funeral on a computer was not known, and the present invention caused that stir due to their innovation. Applicants also pointed out to the Examiner in their Response After Final Rejection, that the present invention has been so successful that a number of competitors have attempted to capitalize on the innovation of the applicants by filing related patent applications years after the present invention, and provided copies in regards to U.S. Patent Application Nos. US2001/0032093, US2002/0004757, and US2003/0014266.

Furthermore, the applicants traversed the Examiner's "well-known" prior art assertion, to which the Examiner provided no evidence or explanation why no evidence was required. As asserted in their Response After Final, the applicants maintain that they are unaware of any prior art reference that discloses or suggests a computer-implemented method which permits a user to electronically plan a funeral on a computer as recited by the claims.

Applicants submit that upon close examination, the Examiner did not meet his burden of establishing a prima facie case of obviousness as to the claims on appeal. Therefore, in the absence of the requisite factual basis, the conclusion of obviousness is not properly supported and must be reversed.

VI. The combination of either Yagasaki or Tavor et al. with the Tafirenyika publication does not result in claimed invention.

With regard to the obviousness rejection to claims 29-33, 35, 43, 46, 49, 51-60, 62 and 63, Yagasaki is directed to a virtual mall providing a searching capability to locate and order a service or product offered by a number of vendors. Yagasaki does not cure the noted deficiencies of the Tafirenyika publication as applied to claims 24 and 48, from which these rejected claims depend. Applicants assert therefore that the combined teachings of Yagasaki and Tafirenyika fail to teach or suggest a computer-implemented method permitting a user to electronically plan a funeral on a computer comprising, among other things, “employing on the computer a funeral planning routine comprising processes adapted to generate a funeral plan” as recited by amended independent claims 24 and 48, from which these rejected claims depend. As the cited prior art is silent on the ability, or even the desire, to electronically plan a funeral on a computer having features as recited by amended independent claims 24 and 48, Applicants assert that their dependent claims are also patentable over the Tafirenyika publication in view of Yagasaki.

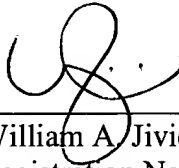
With regard to claims 64 and 65, Tavor et al. is cited for disclosing a method for shopping over the Internet, which includes multimedia presentations to make the session enjoyable for the customer. Tavor et al. do not cure the noted deficiencies of Tafirenyika as applied to claim 48, from which these rejected claims depend. Accordingly, claims 64 and 65 are also patentable over the Tafirenyika publication in view of Tavor et al.

VII. Conclusion

The prior art references clearly do not anticipate, nor render obvious, the claims of the present invention as they do not teach or suggest a computer system and method for making funeral arrangements. The Board is requested to reverse the rejections of claims 24-66 in their entirety.

Respectfully submitted,

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APPENDIX

The Claims on Appeal

24. A computer-implemented method permitting a user to electronically plan a funeral on a computer comprising:

employing on the computer a funeral planning routine comprising processes adapted to generate a funeral plan;

receiving via the computer planning data from the user, said planning data including biographical information, period of execution, and funeral arrangement information;

utilizing said planning data in said funeral planning routine to generate said funeral plan; and

outputting via the computer at least a summary of said funeral plan to the user such that the user may determine whether to revise or accept said funeral plan as represented by said received planning data.

25. The computer-implemented method according to claim 24 wherein if the user decides to revise said funeral plan then the user may edit said planning data, and if the user decides to accept said funeral arrangement plan then said funeral planning routine allocates resources based on said period of execution.

26. The computer-implemented method according to claim 24, wherein said funeral arrangement information includes type of disposition, type of funeral service, location of the funeral, and desired funeral services and/or products.

27. The computer-implemented method according to claim 24, further comprising presenting the user with an electronic selection guide for entering at least a portion of said funeral arrangement information.

28. The computer-implemented method according to claim 24 further comprising retrieving requested information associated with a plurality of products and services.
29. The computer-implemented method according to claim 24 further comprising running a price summary allowing the user to evaluate the immediate monetary effect in order to permit the user to adjust choices accordingly.
30. The computer-implemented method according to claim 24 wherein said summary comprises name of user, selected services and/or products, quantity of selected services and/or products, price, tax, sub-total, cash advance amount, cash advance total, customer total, and combinations thereof.
31. The computer-implemented method according to claim 24 further comprising saving the funeral arrangement plan to a database.
32. The computer-implemented method according to claim 24 further comprising forwarding at least a portion of said funeral arrangement plan to a distributor's system when said period of execution is at-need.
33. The computer-implemented method according to claim 24 further comprising updating inventory of available products and/or services from a distributor such that said user may selected said available products and/or service to include in said funeral arrangement information.
34. The computer-implemented method according to claim 24 wherein said funeral planning routines are being executed on a computer local to the user.
35. The computer-implemented method according to claim 24 further comprising outputting upon request a price list for funeral products and/or services.

36. The computer-implemented method according to claim 24 wherein said period of execution is either pre-need or at-need.

37. The computer-implemented method according to claim 24 further comprise permitting the user to change said period of execution between a pre-need registration to an at-need order.

38. The method according to claim 24, wherein said funeral arrangement information comprises type of deposition selected among choices comprising burial and cremation.

39. The method according to claim 24, wherein said funeral arrangement information comprises type of service selected among choices comprising viewing, memorial service, funeral ceremony, graveside service, and combination thereof.

40. The method according to claim 24, wherein said funeral arrangement information comprises location of funeral selected among choices comprising funeral home, and other facility.

41. The method according to claim 24, wherein said planning data further includes period of funeral services.

42. The method according to claim 24, wherein said summary comprises currently selected services, currently selected products, currently selected cash advance items, customer information, current quantity and cost, current customer total, and combinations thereof.

43. The computer-implemented method according to claim 24 further comprising maintaining a database containing funeral home information comprises name, distributor account number, shipping address data, internet address, ftp address, contact information,

disclosure information, phone, fax, email, state and local tax rates, and combinations thereof.

44. The computer-implemented method according to claim 24, wherein a portion of said planning data is obtained from a presentation to the user of available funeral arrangement products and services and a selection by the user of said available funeral arrangement products and services.

45. The computer-implemented method according to claim 24 wherein at least a portion of said funeral planning routines are being provided to a computer of the user from a server.

46. The computer-implemented method according to claim 33 wherein said updating is via an inventory check with a server of said distributor.

47. The computer-implemented method according to claim 45 further comprising providing a connection between said computer of the user and said server via the Internet.

48. A computer-implemented method permitting a user to electronically plan a funeral on a computer comprising:

- employing on the computer a funeral planning routine comprising processes adapted to generate a funeral plan;

- retrieving via the computer information requested by the user associated with a plurality of products and services;

- receiving via the computer planning data from the user, said planning data including biographical information, period of execution, and funeral arrangement information comprising desired products and services;

- utilizing said planning data in said funeral planning routine to generate said funeral plan; and

outputting via the computer at least a summary of said funeral plan to the user such that the user may determine whether to revise or accept said funeral plan as represented by said received planning data.

49. The computer-implemented method according to claim 48, wherein said retrieving is by accessing a database storing said information.

50. The computer-implemented method according to claim 48, wherein said plurality of products and/or services are provided by a plurality of funeral service providers, each of said plurality of funeral service providers is associated with a distinct set of products and services from said plurality of products and services.

51. The computer-implemented method according to claim 49, further comprising communicating with a distributor server to update at least a portion of said information on said plurality of products and services.

52. The computer-implemented method according to claim 48 further comprising preventing the user from seeing out-of-stock products contained in said information.

53. The computer-implemented method according to claim 48 further comprising presenting an electronic selection guide which lists a plurality of selectable user actions for interactively guiding the user in planning the funeral and selecting said desired products and services.

54. The computer-implemented method according to claim 48 further comprising displaying an electronic response page in response to selection of one of a plurality of user actions provided by said funeral planning routine, said electronic response page providing said information on available funeral services and products in a database and enabling selection of said desired products and services from said available funeral services and products.

55. The computer-implemented method according to claim 48 further comprising presenting an electronic selection guide page; displaying a current services page in response to a selected user action for services from said electronic selection guide page and populating said current services page with existing funeral service information contained in a database.

56. The computer-implemented method according to claim 48 further comprising customizing said information as it should appear to the user by updating said information contained in a database with customized information.

57. The computer-implemented method according to claim 48 further comprising:
storing said information in a database;
customizing said information by:
selecting which of said information in said database to display to the user;
customizing said information as it should appear to the user; and
updating said database.

58. The computer-implemented method according to claim 48 further comprising:
storing said information in a database;
updating said database by downloading from a database server updated information in response to a user selection inventory update; and
updating said database with said information update.

59. The computer-implemented method of claim 48 further comprising entering said biographical information on an electronically displayed biographical entry form.

60. The computer-implemented method claim 48 further comprising presenting electronically a package page enabling user selection of various packages of preselected funeral products and/or services.

61. The computer-implemented method of claim 48 wherein said desired products and services include cremation selection, burial selection, transportation selection, caskets selection, urns selection, marker selection, funeral related merchandise selection, and combinations thereof.

62. The computer-implemented method according to claim 48 further comprising forwarding an order generated from said summary to a server of a distributor for processing delivery of said order.

63. The computer-implemented method according to claim 60, further comprising sending a confirmation from said server to the user confirming said order.

64. The computer-implemented method according to claim 48 further comprising displaying a multimedia presentation corresponding to user action for particular information when said user action for said particular information is selected.

65. The computer-implemented method of according to claim 64 wherein said particular information includes urn products, casket products, marker products, funeral related merchandise, explanations of disposition processes, and explanations of services.

66. A funeral arrangement planning system adapted to permit a user to electronically plan a funeral comprising:

- a computer running a funeral planning routine comprising processes for generating a funeral arrangement plan for a period of execution;

- an input device for inputting to the funeral planning routine planning data, said planning data including biographical information , period of execution, and funeral arrangement information;

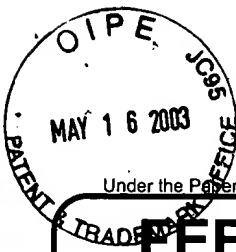
- a display for presenting visual objects related to said funeral planning routine and said planning data;

a memory device storing information related to funeral products and services;

a communication device for connecting to a remote server of a distributor of said funeral products and services to update said information and to provide an order to said distributor;

said computer utilizes said funeral planning routine to interactively guide the user through the planning of the funeral by accepting funeral arrangement data from the user and, when necessary, accessing said information stored in said memory device and storing said funeral arrangement data to said memory device, and

said computer utilizes said funeral planning routine and said planning data to generate a summary such that the user may determine whether to revise or accept the funeral arrangement plan as represented by said input planning data, if revising then the user may edit any portion of said planning data, and if accepting then said funeral planning routine is capable of sending said order to said distributor.



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PTO/SB/17 (05-03)
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 320.00

Complete if Known

Application Number	09/409,566
Filing Date	September 30, 1999
First Named Inventor	John C. Barrott
Examiner Name	Francis J. Bartuska
Art Unit	3627
Attorney Docket No.	AUR 0014 PA

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	320.00
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 320.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	William A. Jividen	Registration No. (Attorney/Agent)	42,695	Telephone	937-223-2050
Signature		Date	May 14, 2003		

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